

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

WADIE ISSAWI and HANAN ISSAWI,

Plaintiffs,

v.

AMERICAN EDUCATION SERVICES,

Defendant.

Case No. 17-cv-532-JPG-RJD

MEMORANDUM AND ORDER

This matter comes before the Court on the motion of plaintiffs Wadie Issawi and Hanan Issawi (collectively, “the Issawis”) for an extension of time to file a notice of appeal of the Court’s March 14, 2018, judgment and order (Doc. 46).

Federal Rule of Appellate Procedure 4 sets forth the timing rules relating to notices of appeal. Rule 4(a)(1)(A) provides that, in a civil case, generally the notice of appeal must be filed within 30 days of entry of the order from which the appeal is taken. The Court may extend the time to file a notice of appeal if:

- (i) a party so moves no later than 30 days after the time prescribed by this Rule 4(a) expires; and
- (ii) regardless of whether its motion is filed before or during the 30 days after the time prescribed by this Rule 4(a) expires, that party shows excusable neglect or good cause.

Fed. R. App. P. 4(a)(5)(A). If these conditions are met, the Court may extend the deadline the longer of either (1) 30 days beyond the original 30-day period or (2) 14 days after the order granting the extension. Fed. R. App. P. 4(a)(5)(C). Even where both conditions are satisfied, the decision to extend the deadline is at the Court’s discretion. *See Garwood Packaging, Inc. v. Allen & Co.*, 378 F.3d 698, 700 (7th Cir. 2004).

The Court hereby **GRANTS** the Issawis' motion (Doc. 46) and **ORDERS** that their appeal period is extended 30 days beyond the original appeal period, the maximum extension this Court may give. Under the rules for counting time in Federal Rule of Civil Procedure 6, the extended appeal period ends May 14, 2018.

IT IS SO ORDERED.

DATED: March 23, 2018

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE